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**UNITED STATES DISTRICT COURT  
 DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,	)
	)
Plaintiff,	)
	)
v.	)
	)
\$254,000.00 IN UNITED STATES CURRENCY;	)
AND \$35,000.00 IN UNITED STATES	)
CURRENCY,	)
Defendants.	)

**UNITED STATES' UNOPPOSED MOTION TO  
 CONTINUE THE DATE TO FILE ITS COMPLAINT FOR  
FORFEITURE IN REM IN THE ABOVE-CAPTIONED MATTERS  
 (First Request)**

The United States of America ("United States"), by and through Daniel G. Bogden, United States Attorney for the District of Nevada and Michael A. Humphreys, Assistant United States Attorney, respectfully moves this Court to grant it an extension of time of sixty (60) days, until and including January 3, 2010, with regard to the defendant designated as \$35,000.00 in United States currency; and until and including January 8, 2010, with regard to the defendant designated as \$254,000.00 to allow the United States to file its forfeiture complaint against those defendants.

The Government's Complaint is currently due on November 4, 2009, for the defendant designated as \$35,000.00 in United States currency; and is due on November 9, 2009, for the defendant designated as \$254,000.00 in United States currency. (Although the defendants were seized at different times and places on the same day, they were seized within the context of the same

1 criminal investigation; and Roberto Arreola-Rojas has filed a claim as to both defendants. Although  
2 the defendants were referred to the United States Attorney, by the seizing agency, with different  
3 internal numerical references, the government will file a single complaint against both defendants  
4 as arising out of the same criminal investigation and to which Mr. Arreola-Rojas is the sole  
5 administrative claimant.)

6 The Government requests the continuance because it continues to investigate the ownership,  
7 control and source of the currency, all important factors in meeting the “reasonable belief” standard  
8 (*See Fed. R. Civ. Pro. (Supp. Rules, G (2)(f)*) necessary to file its forfeiture complaint, *in rem*. The  
9 Government has been investigating this matter since the seizure of the currencies; but additional  
10 time is needed to gather and review documents as well as talk to possible witnesses. Claimant,  
11 Roberto Arreola-Rojas, through his counsel, Richard A. Schonfeld, consents to this motion.

12 The Government, herewith, petitions this Court to extend the time for the Government to file  
13 its civil complaint with regard to the above-referenced matters, to allow the government time to  
14 complete its investigation.

15 Under 18 U.S.C. § 983(a)(3)(A), which states:

16 [T]he Government shall file a complaint for forfeiture in the manner  
17 set forth in the Supplemental Rules for Certain Admiralty and  
18 Maritime Claims . . . , a court in the district in which a complaint will  
be filed may extend the period for filing a complaint for good cause  
shown or *upon agreement of the parties*. (emphasis added)

19 A district court has the authority under § 983(a)(3)(A) to extend the period for filing a Civil  
20 Complaint For Forfeiture *In Rem*.

21 On November 2, 2009, Arreola-Rojas’s counsel, Richard A. Schonfeld, agreed to the  
22 extension of time and authorized counsel for the United States to file this unopposed motion with  
23 this Court. Because the parties have agreed that the Government should be allowed an extension  
24 of time to file its *In Rem* Complaint, the Government respectfully asks this Court to grant its motion.

25 This motion is not submitted solely for the purpose of delay or for any other improper  
26 purpose.

1 WHEREFORE, pursuant to 18 U.S.C. § 983(a)(3)(A), the United States moves this Court  
2 to grant it's motion to extend the time for the United States to file it's civil complaint in the above-  
3 captioned matters for an additional 60 days, or until January 3, 2010 for the \$35,000.00; and until  
4 January 8, 2010 for the \$254,000.00

5 DATED this 2nd day of November 2009.

6 Respectfully submitted,

7  
8 DANIEL G. BOGDEN  
United States Attorney

9 /s/Michael A. Humphreys  
10 MICHAEL A. HUMPHREYS  
Assistant United States Attorney

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12  
13  
14 IT IS SO ORDERED:

15  
16 UNITED STATES DISTRICT JUDGE

17 DATED: \_\_\_\_\_  
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**PROOF OF SERVICE**

I, Maliece Troth, certify that Claimant's counsel, Richard A. Schonfeld, was served with the foregoing Government's Motion To Continue on November 2, 2009, by the below identified method of service:

U.S. Mail

Richard A. Schonfeld  
Chesnoff and Schonfeld  
520 S. Fourth St.,  
Las Vegas, Nv 89101

/s/MalieceTroth  
MALIECE TROTH  
Forfeiture Support Associates, Paralegal